

2/2/2023

UNITED STATES DISTRICT COURT

for the
Southern District of OhioU.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTONUnited States of America
v.

Anthony Head

Case No. 3:23-mj-45

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 1, 2023 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:*Code Section**Offense Description*

21 USC s. 846 and 841(b)(1)(C)

attempt to possess with intent to distribute a mixture or substance containing
a detectable amount of fentanyl, a Schedule II controlled substance

This criminal complaint is based on these facts:

See Attached Affidavit of Sean C. Humphrey

☒ Continued on the attached sheet.*Sean C. Humphrey*
Complainant's signatureSean C. Humphrey, TFO Postal Inspection Service
Printed name and title

Sworn to by reliable electronic means -- namely, telephone.

Date: 2/2/23City and state: Dayton, Ohio*Peter B. Silvain, Jr.*
United States Magistrate Judge

AFFIDAVIT

I, Sean C. Humphrey, being duly sworn, does hereby depose and state as follows:

INTRODUCTION

1. I am employed by the Dayton Police Department and have been so since July of 2008. I have been assigned to Patrol Operations and am currently assigned to the Narcotics Bureau - Montgomery County Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force. I have extensive prior experience in investigating drug cases that resulted in successful prosecution of persons involved in trafficking of drugs, possession of drugs and other related offenses. I have been involved in narcotics related arrests, executed search warrants that resulted in the seizure of narcotics and participated in undercover narcotics purchases. Through training and experience, I am familiar with the manner in which persons involved in the illicit distribution and sales of controlled substances often operate. These subjects usually attempt to conceal their identities, as well as the locations at which they reside and where they store controlled substances and the illegal proceeds derived there from. Through training and experience, I am familiar with the practices of narcotics distributors and sellers, whereby they attempt to conceal the true nature, source and location of proceeds of illegal activity, commonly referred to as money laundering. I have been a Task Force Officer with the United States Postal Inspection Service since November 2022. I am presently assigned to the Cincinnati Field Office of the United States Postal

Inspection Service, Pittsburgh Division, with investigative responsibility for Southern District of Ohio.

2. Based on my training and experience, I have become aware that drug traffickers frequently use Priority Mail Express, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Based on my training and experience, I also know that drug traffickers frequently use Priority Mail with delivery confirmation, a two- three day service offered by the United States Postal Service. As a result of investigations and successful controlled substance prosecutions where the U.S. Mail was used, I have learned of certain characteristics indicative of other U.S Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, the addressee is not known to receive mail at the listed delivery address, the parcel is heavily taped, the parcel is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the parcel, and the listed address is located in an area of known or suspected drug activity.

PURPOSE OF AFFIDAVIT

3. This Affidavit is submitted in support of a criminal complaint and seeks the issuance of an arrest warrant against Anthony Head (hereinafter "Head") for a violation of Title 21, U.S.C. §§ 846 and 841(b)(1)(C) (attempt to possess with intent to distribute a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance).

4. I have elected not to include in this affidavit all the factual details gathered to date during the investigation, but only certain information sufficient to establish probable cause. The facts set forth in this affidavit are based on personal knowledge derived from my participation in this investigation and upon information presented to me by other law enforcement officers involved in this case.

SUMMARY OF PROBABLE CAUSE

5. On or about January 30, 2023, U.S. Postal Inspectors intercepted a large Priority Mail parcel sent from California to a fictitious person at 100 Bluecrest Avenue, Dayton, Ohio. Based on several suspicious features of the package, law enforcement obtained a federal search warrant to open the parcel. Upon executing the search warrant on the Priority Mail parcel, law enforcement found within it a comforter set, two small stuffed animals as well as a plastic container holding three vacuum sealed packages along with numerous dryer sheets.

a. The larger of the three vacuum sealed packages had several layers of bags around it along with dryer sheets and black tissue paper. (Based on my training and experience, I know that drug traffickers frequently place dryer sheets in drug parcels to conceal the odor of narcotics from drug detection dogs). I located inside of these wrappings a brown taped block of pressed white powder. On the block, someone had written "13" in marker and placed a decal of a gorilla face with a gold crown. The block weighed 2 pounds five ounces or 1048 grams.

b. The two smaller vacuum sealed packages were wrapped in a similar manner as the larger package. Upon opening the smaller packages, I learned that they both contained approximately twelve ounces of blue pressed pills, each bearing an "M30" marking on it. Based on my training and experience, I know that "M30" is a common marking on oxycodone pills. I also know that drug traffickers frequently attempt to disguise fentanyl in the form of counterfeit oxycodone pills and intentionally misbrand the fentanyl with an M30 marking. The pills collectively weighed one pound two ounces or 510 grams.

c. Because I suspected that some of the items recovered from the Priority Mail parcel contained fentanyl, law enforcement field tested the block of white powder using a TRUNARC narcotics analyzer, a handheld device that can identify dozens of different controlled substances. Based on the result from the TRUNARC, the block tested positive for the presence of fentanyl, a Schedule II

controlled substance. Based on my training and experience, given the sizable amount of fentanyl recovered from the parcel, I concluded that the Priority Mail parcel was destined for a drug trafficker or the associate of a drug trafficker in the Dayton, Ohio area for redistribution to others in this community.

6. On or about February 1, 2023, to identify the individuals involved in the shipment and planned distribution of this fentanyl, law enforcement performed a controlled delivery of the Priority Mail parcel to 100 Bluecrest Avenue, Dayton, Ohio. Before doing so, officers removed the fentanyl from the parcel and replaced these controlled substances with sham narcotics. Police also obtained a warrant authorizing the installation and monitoring of a tracking device on the Priority Mail parcel. Posing as a mail carrier, an undercover officer delivered the Priority Mail parcel to 100 Bluecrest Avenue, leaving it at the front door of this residence.

7. Shortly after the delivery, law enforcement noticed a Ford truck circling the area. It slowed down as it drove by 100 Bluecrest Avenue as though its occupants were looking for something.

8. Several minutes later, a man, later identified as Antony Head, walked to the porch of 100 Bluecrest Avenue and looked at the Priority Mail parcel. Head then walked away and appeared to make a call on his cellular telephone. After heading down the street a short distance, Head returned to the porch of 100 Bluecrest Avenue, grabbed the Priority Mail Package, and walked away with it.

9. Law enforcement watched as Head moved with the Priority Mail parcel to a nearby alley. As Head entered the alley, the tracking device inside the parcel alerted that someone had opened the package. A short time later, law enforcement saw Head walking away from the alley, carrying the contents of the Priority Mail Parcel with him. Officers detained Head.

10. As these events transpired, the Ford truck described above continued to circle the area. However, once officers secured Head, the truck sped from the neighborhood, ignoring efforts of local police to stop it.

11. Upon detaining Head, law enforcement advised him of his Miranda rights, and he agreed to speak with police. Head advised that he had been contacted by someone driving a Ford truck and asked to retrieve a package from 100 Bluecrest Avenue in exchange for money. Head indicated that he agreed to the proposal even though that he knew that the parcel contained drugs. (Head stated that he believed that the contraband in the package was marijuana, not fentanyl). Head further admitted that he grabbed the package and opened it. Given law enforcement's observations along with Head's statements, I believe that he knowingly attempted to obtain controlled substances that he then planned to transfer to another person.

CONCLUSION

Based on the foregoing, I submit that there is probable cause to issue a criminal complaint and an arrest warrant against Anthony Head for a violation of Title 21, U.S.C. §§ 846 and 841(b)(1)(C) (attempt to possess with intent to distribute a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance).

Sean C. Humphrey

Sean C. Humphrey
Task Force Officer
United States Postal Inspection

Subscribed and sworn to before me this 2nd day of February, 2023.

Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge

